

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Respondent, No. 2:02-cr-0416 GEB JFM (HC)

vs.

DAWANE ARTHUR MALLETT,

Movant. ORDER

Movant is a federal prisoner proceeding pro se with a motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255. On December 16, 2008, respondent filed a motion to withdraw its previously filed motion to dismiss and for an extention of time to file an answer to movant's § 2255 motion. Good cause appearing, IT IS HEREBY ORDERED that:

1. Respondent's December 16, 2008 motion is granted;
 2. Respondent's June 16, 2008 motion to dismiss is withdrawn;
 3. Respondent's answer to movant's § 2255 motion shall be filed and served on
February 17, 2009; and

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1 4. Movant's traverse, if any, shall be filed and served not later than thirty days
2 thereafter.

3 || DATED: December 19, 2008.

John F. Wark
UNITED STATES MAGISTRATE JUDGE

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